

AMENDMENTS TO THE CLAIMS

1-2. (Cancelled)

3. (Currently Amended) A method for inserting asynchronous data into a synchronous data stream comprising:

- receiving information including a first time value when said asynchronous data may be used;
- determining a transfer interval for said asynchronous data;
- inserting said asynchronous data into said synchronous data stream at a time prior to said first time value by an amount that is greater than or equal to said transfer interval;
- determining ~~the~~ a file size of said asynchronous data;
- determining a data transfer rate for said asynchronous data;
- dividing said file size by said data transfer rate to calculate a duration;
- determining ~~the~~ a ratio of data stream bandwidth available for transfer of said asynchronous data; and
- modifying said duration by multiplying said duration by the inverse of said ratio.

4. (Original) The method of claim 3 wherein said step of modifying said duration further comprises:

- obtaining a connect time; and
- adding said connect time to said duration.

5-8. (Canceled)

9. (Currently Amended) A method for inserting asynchronous data into a synchronous television broadcast stream comprising:

- receiving information including a first time value when said asynchronous data may be used;
- determining a transfer interval for said asynchronous data;
- inserting said asynchronous data into said synchronous television broadcast stream at a time prior to said first time value by an amount that is greater than or equal to said transfer interval;

determining ~~the~~ a file size of said asynchronous data;
determining a data transfer rate for said asynchronous data;
dividing said file size by said data transfer rate to calculate a duration;
determining ~~the~~ a ratio of data stream bandwidth available for transfer of said asynchronous data; and
modifying said duration by multiplying said duration by the inverse of said ratio.

10. (Previously Presented) The method of claim 9 wherein said step of modifying said duration further comprises:

obtaining a connect time; and
adding said connect time to said duration.

11-23. (Canceled)